FLORIDA

SUMMARY OF PLANT PROTECTION REGULATIONS Updated October, 2002

Florida Department of Agriculture and Consumer Services
Division of Plant Industry
Post Office Box 147100
Gainesville, Florida 32614-7100
http://www.doacs.state.fl.us/~pi/index.html

NURSERY STOCK, QUARANTINES, APIARY AND WEED REGULATIONS

Richard D. Gaskalla, .Director (Nursery, Quarantine, Apiary, Weed Regulations)

Phone: (352) 372-3505 Fax: (352) 955-2300

Email: gaskalr@doacs.state.fl.us

NURSERY STOCK DEFINITION

All plants, trees, shrubs, vines, bulbs, cuttings, grafts, scions, or buds, grown or kept for or capable of propagation or distribution, unless specifically excluded by the rules of the department.

GENERAL SHIPPING REQUIREMENTS

Any person, nurseryman, stock dealer, agent, or plant broker who desires to ship into this state nursery stock from any state, territory, or district of the United States, shall comply with the following regulations:

The nurseryman, stock dealer, agent or plant broker must be listed in the latest directory of registered or certified nurseries, agents, stock dealers, and plant brokers of the state where such nursery stock originated.

A valid certificate of inspection must be attached to each separate package, bundle, box, or shipment of nursery stock shipped into Florida. In club orders, one tag must be attached to each individual order and another to the package containing the individual orders.

All shipments of nursery stock entering peninsular Florida by road are required to stop at an agricultural inspection station where they will be screened for proper certification and subject to cargo inspection by the department.

House plants which are part of a passenger's baggage or household effects may enter the state provided the plants are accompanied with a certificate of inspection. Should the plants originate from a state that does not offer an inspection and certification service for house plants, the owner must be able to furnish the department a Florida address where the plants will be located. This

information will enable the department to conduct a follow-up inspection if deemed necessary. If sufficient information is given, the plants will be allowed entry.

REQUIREMENTS FOR THE INTERNATIONAL MOVEMENT OF PLANTS AND PLANT PRODUCTS

All shipments of foreign origin plant and plant products are prohibited entry into the state of Florida unless accompanied by supporting documentation verifying inspection and clearance by the USDA. These products must also be accompanied with a bill of lading which contains: Name and physical address of the shipper or consignor; Name and physical address of receiver or consignee; Description of plants or plant products in shipment; Place and country or origin; Ultimate destination of shipment if other than receiver or consignee.

NOXIOUS WEEDS

Definition: Any living stage, including, but not limited to, seeds and reproductive parts, of a parasitic or other plant of a kind, or subdivision of a kind, which may be a serious agricultural threat in Florida as listed in Rule 5B-57.007 (see attached), as well as those plants identified by the USDA as noxious weeds under CFR 360.200 (b) and (c).

It is unlawful to introduce, possess, move, or release any plant pest or noxious weed regulated by the department and the USDA except under permit issued by the department or the USDA. No permit shall be issued unless the department has determined that procedures exist to adequately contain the plant pest or noxious weed or that it will not pose a threat to the agricultural industry or the environment.

5B-57.007 Noxious Weed List.

- (1) Parasitic Weeds.
- (a) Aeginetia spp. (Aeginetia).
- (b) *Alectra* spp. (Alectra).
- (c) Cuscuta spp. Only the native Florida species are excluded from this list. These include:
 - 1. C. americana.
 - 2. C. compacta.
 - 3. C. exaltata.
 - 4. C. gronovii.
 - 5. C. indecora.
 - 6. C. obtusiflora.
 - 7. C. pentagona.
 - 8. C. umbellata.
- (d) *Orobanche* spp. (broomrapes), with the exception of:
 - 1. O. uniflora (oneflowered broomrape).
- (2) Terrestrial Weeds.
- (a) Ageratina adenophora (crofton weed).
- (b) Alternanthera sessilis (sessile joyweed).
- (c) Asphodelus fistulosus (onionweed).
- (d) Avena sterilis (including Avena budoviciana) (animated oat, wild oat).

- (e) Borreria alata (broadleaf buttonweed).
- (f) Carthamus oxyacantha (wild safflower).
- (g) Chrysopogon aciculatus (pilipiliula).
- (h) Commelina benghalensis (Benghal dayflower).
- (i) Crupina vulgaris (common crupina).
- (j) <u>Cupaniopsis anacardioides</u> (carrotwood). **Propagation prohibited effective 7/1/99; sale or distribution prohibited 1/1/2001.**
- (k) Digitaria scalarum (African couchgrass, fingergrass).
- (l) Digitaria velutina (velvet fingergrass, annual conchgrass).
- (m) Dioscorea alata (white yam).
- (n) Dioscorea bulbifera (air potato).
- (o) Drymaria arenarioides (lightning weed).
- (p) Emex australis (three-cornered jack).
- (q) Emex spinosa (devil's thorn).
- (r) Euphorbia prunifolia (painted euphorbia).
- (s) Galega officinalis (goat's rue).
- (t) Heracleum mantegazzianum (giant hogweed).
- (u) Imperata brasiliensis (Brazilian satintail).
- (v) Imperata cylindrica (cogongrass).
- (w) Ipomoea triloba (little bell, Aiea morning glory).
- (x) Ischaemum rugosum (murainograss).
- (y) Leptochloa chinensis (Asian sprangletop).
- (z) Lycium ferocissimum (African boxthorn).
- (aa) Lygodium japonicum (Japanese climbing fern).
- (bb) Lygodium microphyllum (small-leaved climbing fern).
- (cc) Melaleuca quinquenervia (melaleuca). 1
- (dd) Melastoma malabathricum (Indian rhododendron).
- (ee) Mikania cordata (mile-a-minute).
- (ff) Mikania micrantha (climbing hempweed).
- (gg) Mimosa invisa (giant sensitive plant).
- (hh) Mimosa pigra (catclaw mimosa).¹
- (ii) Nassella trichotoma (serrated tussock).
- (jj) Neyraudia reynaudiana (Burma reed).
- (kk) Opuntia aurantiaca (jointed prickly pear).
- (ll) Oryza longistaminata (red rice).
- (mm) Oryza punctata (red rice).
- (nn) Oryza rufipogon (wild red rice).
- (00) Paederia cruddasiana (sewer-vine).
- (pp) Paederia foetida (skunk-vine).
- (qq) Paspalum scrobiculatum (Kodomillet).
- (rr) Pennisetum clandestinum (Kikuyu grass).
- (ss) Pennisetum macrourum (African feathergrass).
- (tt) Pennisetum pedicellatum (Kyasuma grass).
- (uu) Pennisetum polystachyon (missiongrass, thin napiergrass).
- (vv) Prosopis spp.
- (ww) Pueraria montana (kudzu).

- (xx) *Rhodomyrtus tomentosa* (downy myrtle).
- (yy) Rottboellia cochinchinensis (itchgrass).
- (zz) Rubus fruticosus (bramble blackberry).
- (aaa) Rubus moluccanus (wild raspberry).
- (bbb) Saccharum spontaneum (wild sugarcane).
- (ccc) Salsola vermiculata (wormleaf salsola).
- (ddd) Sapium sebiferum (Chinese tallow tree).
- (eee) <u>Schinus terebinthifolius</u> (Brazilian pepper-tree).¹
- (fff) Setaria pallidefusca (cattail grass).
- (ggg) Solanum tampicense (wetland nightshade).
- (hhh) *Solanum torvum* (turkeyberry).
- (iii) Solanum viarum (tropical soda apple).
- (jjj) *Tridax procumbens* (coat buttons).
- (kkk) Urochloa panicoides (liverseed grass).

¹**Department of Environmental Protection permit required for these species.** Specific Authority 570.07 (13), (23) FS. Law Implemented 581.031 (4), (5), (6), 581.083, 581.091 FS. History - New 7-27-93, Amended 2/28/94, 6/30/96, 7-7-99.

QUARANTINES OR ADDITIONAL REQUIREMENTS

TRANSIT INSPECTION AND POSTENTRY QUARANTINE

INSPECTION OF SHIPMENTS IN TRANSIT: Any shipments of plants and plant products are subject to inspection by authorized representatives of the Division or the USDA. Such inspection may be conducted at agricultural inspection stations operated by the department or USDA, on the highways, at shipment destinations, at airports, bus terminals, freight terminals or other warehouses, storage places, or places of business of common carriers. Inspection may include request for presentation to the authorized representative, certificates accompanying the shipment, invoices, or waybills included with the cargo, The authorized representative may require individual inspections of all items considered to be regulated articles.

POSTENTRY QUARANTINE: For the purpose of detecting certain plant pests or noxious weeds which are difficult to detect in certain stages of their growth, the Division or USDA may require a postentry quarantine period of inspection. Compliance agreements may be entered into stipulating requirements of the postentry quarantine.

AQUATIC PLANTS

PESTS: Aquatic plant species not native to the State of Florida.

STATES REGULATED: ALL

MATERIALS REGULATED: Aquatic plants

RESTRICTIONS: No person shall import into the state any aquatic plant or seed thereof of a species not native to the state without having first obtained a permit from the Florida Department of Environmental Protection (DEP), Bureau of Invasive Plant Management 3900 Commonwealth Blvd., MS 705, Tallahassee, FL 32399, Tel: 850-245-2809

CITRUS PESTS

PESTS: All injurious insects, plant diseases or disorders of citrus.

STATES REGULATED: ALL

MATERIALS REGULATED: Any and all kinds of citrus plants and parts thereof.

RESTRICTIONS: It is unlawful to move into Florida any and all kinds of citrus trees and parts thereof except by a special permit from the Division Director. Permits are not required to move citrus fruits into the state. Federal Domestic Quarantines regulate the interstate movement of fruit from areas known to harbor fruit flies injurious to citrus.

DOGWOOD ANTHRACNOSE

PEST: Dogwood anthracnose

STATES REGULATED: CT, DE, GA, ID, MD, MA, NJ, NY, NC, OR, PA, SC, TN, VA, WA, WV and any other state, where dogwood anthracnose is determined to be established.

MATERIALS REGULATED: A dogwood plant (Cornus spp.) or part thereof or any other plant or part thereof which is capable of harboring or transporting dogwood anthracnose in any of its life stages.

RESTRICTIONS: The movement of dogwood plants or part thereof from infested states into Florida is prohibited except by master permit issued by the director.

FRUIT FLIES AND OTHER DANGEROUS INSECTS AND DISEASES

PESTS: Fruit flies (Trypetidae or Tephritidae)

STATES REGULATED: Hawaii and U.S. Possessions

MATERIALS REGULATED: Fruit fly hosts

RESTRICTIONS: Entry of Planting Stock and Produce From Hawaii and U.S. Possessions. The movement into Florida from Hawaii, Puerto Rico and the Virgin Islands of the following is prohibited: All fruits in the raw, or unprocessed state of citrus (Citrus spp.), mango (Mangifera spp.), jobo (Spondias spp.), guava (Psidium spp.), pomarrosa or rose apple (Eugenia jambos), and all other fruits that may be determined to be hosts of

fruit flies (Trypetidae or Tephritidae); string beans, lima beans, kidney beans, faba beans, and pigeon peas, either in the pod or shelled; peppers, okra, green corn, sugarcane, and all parts thereof, sweet potatoes, cottonseed, and paddy rice; provided that the fruits and vegetables enumerated herein may enter Florida when free of plant litter and soil and when treated under the supervision of inspectors of the U.S. Department of Agriculture by a method developed by said department or by an authorized inspector of the state of origin.

LETTUCE MOSAIC

PEST: Lettuce mosaic virus

STATES REGULATED: ALL

MATERIALS REGULATED: Lettuce seed and plants

RESTRICTIONS: Lettuce seed and or plants moved into, sold or planted in a commercial lettuce production area in Florida shall be certified as having been tested for lettuce mosaic virus by a testing facility approved by the Division of Plant Industry.

OAK WILT

PEST: Oak wilt disease

STATES REGULATED: AR, IL, IN, IA, KS, KY, MD, MI, MN, MO, NE, NY, NC, OH, OK, PA, SC, TN, TX, VA, WV, WI.

MATERIALS REGULATED: Rooted trees and seedling plants of oak (Quercus spp.), chestnut (Castanea spp.), chinquapin (Castanopsis spp.) and tanbark oak (Lithocarpus densiflora), and any parts of such plants for propagation, except seed.

RESTRICTIONS: The movement of oak wilt disease or host plants into the state from an infested or regulated area is prohibited except by master permit issued by the director. The movement of firewood with bark and unpeeled lumber into the state from an infested or regulated area is prohibited except by a certificate issued by an authorized representative of the state of origin. The certificate shall state that these regulated articles have been treated in a manner approved by the department to minimize risk of inadvertent introduction of oak wilt disease.

SEED POTATO PESTS

PESTS: Seed potatoes offered for sale in Florida must not exceed the tolerances indicated for the following plant pests: golden nematode, 0%, potato rot nematode, 0%, potato wart, 0%; stem and bulb nematode, 0%; ring rot, 0%; spindle tuber, 1%; blackleg, 1%; Fusarium wilt, 1%; net necrosis, 1%; late blight, 1%; and any other dangerous pest of potatoes not listed, 0%. Scab and Rhizoctonia same as U.S. No. 1 tolerance.

STATES REGULATED: ALL

MATERIALS REGULATED: Seed potatoes

RESTRICTIONS: (1) All potatoes to be sold for propagation in Florida must meet U.S. No. 1, Size B requirements, except that the tolerance for shatter bruising may be that designated for U.S. No. 2.(2) All potatoes to be sold for seed in Florida must have been grown under a seed potato certification program of the state or country of origin, and each bag must be accompanied by a certificate issued by the agency administering the seed potato certification program. (3) The department shall have the authority to open any shipment of seed potatoes for inspection and to draw a reasonable sample from any bag of seed potatoes for laboratory examination or for planting for field observation.

SNAILS

PESTS: Snails

- Archachatina spp. and Achatina spp. (Example: marginate achatina snail and giant African snail)
- Helix spp. (Example: brown garden snail)
- Theba pisana (Muller), white garden snail
- Megalobulimus oblongus (Muller), (giant South American snail)
- Any other plant-infesting snail which may be determined by department order or rule to be injurious to Florida agriculture.

STATES REGULATED: AZ, CA, HI, NM, OR, SC, TX, WA,

MATERIALS REGULATED: Any plant, plant product or other regulated article capable of transporting or harboring plant-feeding snails.

RESTRICTIONS: Regulated articles from infested states may move into Florida provided they have been inspected by authorized officials of the state of origin and each shipment accompanied by an original special certificate stating that the articles have been inspected and meet Florida's requirements.

SUGARCANE

STATES REGULATED: ALL

MATERIALS REGULATED: Propagative parts of sugarcane

RESTRICTIONS: The movement of propagative parts of sugarcane into the State of Florida is prohibited unless accompanied by a special permit issued by the department.

APIARY INSPECTION LAW

VARROA MITE

PEST: Varroa mite

STATES REGULATED: ALL

MATERIALS REGULATED: Apis mellifera and all subspecies thereof, all beekeeping equipment, honey in the comb and any other article that is capable of transporting any stage of the Varroa mite.

RESTRICTIONS: The movement of all honeybees, beekeeping equipment, or other regulated articles into the State of Florida is prohibited unless accompanied by a certificate issued by the state of origin department of agriculture certifying that the regulated articles are apparently free of Varroa mite or have been treated as prescribed by the department.

PESTS OF HONEYBEES AND UNWANTED RACES OF HONEYBEES

PESTS: American foulbrood, Tropilaelaps clareae, African honeybee, Cape honeybee and any other honeybee race or pest determined by the department to be a threat to the state.

STATES REGULATED: ALL

MATERIALS REGULATED: American foulbrood, Tropilaelaps clareae, African honeybee, Cape honeybee, any honeybee race or pest determined by the department to be a threat to the state, used beekeeping equipment or fixtures and any other article capable of transporting a regulated pest or an unwanted race of honeybees.

RESTRICTIONS: The movement of all honeybees, beekeeping equipment, or other regulated articles are prohibited entry into the State of Florida unless accompanied by a certificate issued by the state of origin department of agriculture certifying that the regulated aticles were inspected and found to meet Florida's entry requirements.